

Vinson & Elkins

ATTORNEYS AT LAW



March 13, 2002

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Avelyn Ross Broughton  
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BOX MISSING PARTS  
Assistant Commissioner for Patents  
Washington, D.C. 20231

**CERTIFICATE MAILING**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231, on the date below:

March 13, 2002

*Avelyn Ross Broughton*  
Avelyn Ross Broughton

Re: *U.S. Patent Application SN 10/055,726 for "A Method and Apparatus for Preventing Nitrogen Interference in Pyro-electrochemical Methods"*  
*Inventor: John R. Rhodes*  
*Attorney Docket No.: SPE503/4-6CIPUS; Confirmation No. 8318*

Sir:

Enclosed for filing in the above-referenced patent application are the following:

1. Response to 37 C.F.R. § 1.53(b) Notice;
2. Declaration;
3. Power of Attorney;
4. Copy of Notice to File Missing Parts;
5. Copy of Filing Receipt marked with corrections; and
6. A return postcard to acknowledge receipt of these documents. Please date stamp and mail this postcard.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Assistant Commissioner is hereby authorized to deduct from said fees from or credit said fees to VINSON & ELKINS L.L.P. Deposit Account No. 22-0365/SPE503/4-6CIPUS.

Respectfully submitted,

*Avelyn Ross Broughton*

Avelyn Ross Broughton  
Reg. No. 51,174

1817:5588  
Enclosures

265546\_1.DOC



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CERTIFICATE OF MAILING 37 C.F.R. 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231, on the date below:	
<u>March 13, 2002</u> Date	 Avelyn Ross Broughton

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
John R. Rhodes

Serial No.: 10/055,726

Filed: January 23, 2002

For: A METHOD AND APPARATUS FOR  
PREVENTING NITROGEN  
INTERFERENCE IN PYRO-  
ELECTROCHEMICAL METHODS

Group Art Unit: 1743

Examiner: Unknown

Atty. Dkt. No.: SPE503/4-6CIPUS/75001

Confirmation No. 8318

**RESPONSE TO 37 C.F.R. § 1.53(b) NOTICE**

**BOX MISSING PARTS**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application Filed Under 37 C.F.R. § 1.53(b) dated February 11, 2002 (the "Notice"), Assignee asserts that it is entitled to Small Entity Status by virtue of being a small business concern with less than 500 employees. Also in response to the Notice, there are enclosed herewith:

- (a) Declaration executed by John R. Rhodes;

- (b) An Election Under 37 C.F.R. §§ 3.71 and 3.73 and Power of Attorney on behalf of Spectro Analytical Instruments;
- (c) Our check in the amount of \$1,077.00 to cover the basic filing fee (\$370.00); surcharge for late filing (\$65.00); additional claims fee (\$432.00); and additional independent claims fee (\$210.00); and
- (d) A copy of Notice to File Missing Parts of Application-Filing Date Granted.

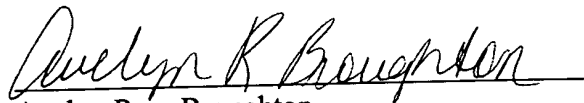
An Assignment to Spectro Analytical Instruments along with a check for \$40.00 are being filed under separate cover.

Applicant hereby requests issuance of a corrected Filing Receipt. A copy of the official Filing Receipt with corrections noted thereon is also enclosed.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Assistant Commissioner is authorized to deduct or credit said fees from or to Vinson & Elkins L.L.P. Deposit Account No. 22-0365/SCI200/4-6CIPUS.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

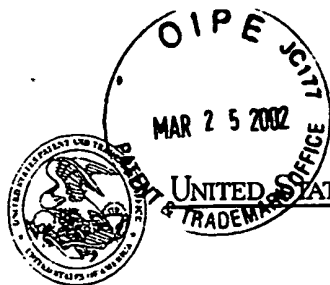
Respectfully submitted,



Avelyn Ross Broughton  
Reg. No. 51,174  
Attorney for Applicant

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Houston, Texas 77002-6760  
512/495-8411

Date: March 13, 2002



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WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/055,726	01/23/2002	1743	0.00	SPE503/4-6CIPUS	5	68	8

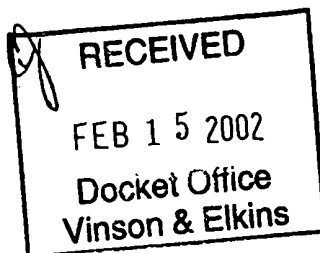
CONFIRMATION NO. 8318

FILING RECEIPT



\*OC00000007456256\*

Avelyn Ross Broughton  
VINSON & ELKINS LLP L.L.P.  
2300 First City Tower  
1001 Fannin  
Austin, TX 77002-6760  
Houston



Date Mailed: 02/11/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

John R. Rhodes, Austin, TX;

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CIP OF 09/951,760 09/11/2001

Foreign Applications

If Required, Foreign Filing License Granted 02/08/2002

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

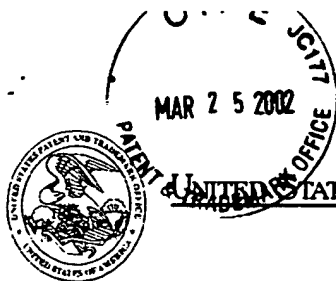
Early Publication Request: No

\*\* SMALL ENTITY \*\*

Title

Method and apparatus for preventing nitrogen interference in pyro-electrochemical methods

Preliminary Class

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# 5

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UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/055,726	01/23/2002	John R. Rhodes	SPE503/4-6CIPUS

CONFIRMATION NO. 8318

## FORMALITIES LETTER



\*OC000000007456257\*

Avelyn Ross Broughton  
VINSON & ELKINS LLP  
2300 First City Tower  
1001 Fannin  
Austin, TX 77002-6760

Date Mailed: 02/11/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 370 to complete the basic filing fee for a small entity.*
- Total additional claim fee(s) for this application is \$642.
  - \$432 for 48 total claims over 20.
  - \$210 for 5 independent claims over 3.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1077.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52 because:
  - Line spacing on the specification, claims, or abstract is not 1-1/2 or double spaced (See 37 CFR 1.52(b)).

03/27/2002 MAHRED1 00000062 10055726  
 01 FC:201 370.00 0P  
 02 FC:202 210.00 0P  
 03 FC:203 432.00 0P  
 04 FC:205 65.00 0P

*A copy of this notice MUST be returned with the reply.*

*M. Manual*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE